

12/5/72

428.

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 5, 1972 at 10:30 A. M.

Present:

John H. Leonard, Supervisor  
Thomas R. Costello, Town Justice  
Robert G. Leonard, Town Justice  
Vincent B. Grodski, Councilman  
George G. Young, Councilman

Also present: Francis J. Yakaboski, Town Attorney  
Alex E. Horton, Supt. of Highways

Supervisor Leonard called the meeting to Order at 10:30 A. M.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the minutes of the Town Board Meeting held on November 8th, 1972, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the minutes of the Town Board Meeting held on November 21, 1972, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

#### BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined General Town bills submitted on Abstract dated December 5, 1972, in the amount of \$4,950.83.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

BE IT RESOLVED, That General Town bills in the amount of \$4,950.83, be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

COMMUNICATIONS

Dept. of the Army, N. Y. District, Corps of Engineers, dated 11/21/72, relating to Public Notice No. 7158 on application of Messrs. Sal Davi and John Crino for a Dept. of the Army approval of plans for an existing bulkhead and fill, in Flanders Bay, Great Peconic Bay at Flanders, Town of Southampton. Any protests should be prepared in writing and mailed prior to Dec. 21, 1972, otherwise it will be presumed that there are no objections. Filed.

Copies to Town Board.

Suffolk County Department of Planning, dated 11/21/72, relating to proposed amendments to Zone Ordinance #26, Town of Riverhead on public hearing held Nov. 21, 1972 - stating this is considered to be a matter for local determination. Filed.

Three West Main Street Store Owners, requesting a street light be installed on N. Y. Telephone Pole #3. Filed.

Copy to Lighting Committee. Referred to Judge Costello.

Long Island Lighting Company, dated November 27, 1972, submitting survey and plans as follows:

Brown Street, Riverhead.

Recommend one 7600 lumen mercury vapor light fixture to replace the 1000 lumen light on Pole #3, at an increased annual cost of \$30.72.

Hubbard Avenue, Aquebogue.

Recommend one 7600 lumen mercury vapor light fixture be installed at an annual cost of \$52.20 (Pole #49).

Brook Street, Riverhead.

Recommend one 7600 lumen mercury vapor light fixture to replace the 1000 lumen light on Pole #3, at an increased annual cost of \$29.52.

Fifth Street, Wading River.

Recommend install two (2) 7600 lumen mercury vapor light fixtures and the removal of one 1000 lumen light fixture, at an additional charge of \$72.92 per year. Filed.

Marguerite Fleischman, dated 11/29/72, submitting resignation as Part-time Clerk in Tax Office (this year). Filed.

Wading River Civic Ass'n., dated 11/28/72, stating the people of Wading River are concerned regarding the intersection of Route 25 and Sound Avenue and North Country Road in Wading River at the Wading River Nursery. Recent serious accidents emphasize need for action - suggest signalization or re-designing entire intersection and asking consideration to this request. Filed.

Copies to Town Board and Police Chief.

Referred to Dept. of Transportation for survey and report.

COMMUNICATIONS continued:

Town of Southampton, dated 11/28/72, relating to proposed amendment to Town Zoning Ordinance No. 26, public hearing to be held on Tuesday, Dec. 19, 1972 at 7:30 P. M. to provide that no Building Permit applications shall be accepted by the Building Department between the dates of Dec. 20, 1972 and Jan. 7, 1973, inclusive. Filed.

Hoccabauk Park Civic Ass'n., dated 11/27/72, stating many of the residents feel the water from their own pump systems may be polluted and at the last meeting of the Association raised the question as to the feasibility of having town water brought into the area, and requesting what steps to take to have this done. Filed.

Copies to Town Board.

Referred to Town Attorney.

Margaret W. Tooker, President, Board of Education, Central School Dist. No. 2, dated 11/30/72, advising that the Jamesport School is no longer being used and it has been suggested that the grounds and possibly the building be utilized for recreational purposes. The Board of Education has not yet made a decision regarding the use of this property or possible sale and would be interested in knowing whether the Town has any interest in acquiring it. Further outlining that the Board of Education can legally sell property to a private individual or a municipality with the approval of the voters of the District. It is also possible with voter approval to give property to a municipality without financial consideration. Filed.

Referred to Town Clerk for reply.

J. Leo Saxstien, Esq., dated 12/1/72, re Summons with Notice - advising he has no objection to Police Department taking legal steps to remove five automobiles from his premises at 635 East Main Street. Filed.

Referred to Police Chief Grodski.

REPORTS

Fire Inspector's, month of November, 1972. Filed.

Building Department, month of November, 1972. Filed.

Police Department, month of November, 1972. Filed.

Recreation Department, month of November, 1972. Filed.

OPEN BID-10:45 A. M. - Mobile Vacuum Unit

No bids received.

ONE NEW AUTOMOBILE-SUPT. OF HIGHWAYS

After being duly advertised, the following bid for the purchase of One (1) New 1973 Automobile for use of the Superintendent of Highways, was opened by the Town Clerk at 10:45 A. M., on December 5th, 1972:

O'KEEFE CHEVROLET-OLDS, INC., East Main Street on Rte. 25, Riverhead, N. Y. 11901

Delivered price for one (1) new 1973 Two-Door Coupe	\$5,095.05	
Less trade-in allowance for one used 1971 Delta 88 Coupe	\$2,357.05	
<b>NET DELIVERED PRICE FOR ONE New 1973 2-Dr. Coupe</b>	<b>\$2,738.00</b>	<b>Filed.</b>

OPEN BID REPORTS-continued  
SIX POLICE DEPARTMENT VEHICLES

After being duly advertised the following bids for Police Department  
 Vehicles were opened by the Town Clerk at 10:45 A. M. , on December 5th, 1972:

SILVER CHRYSLER PLYMOUTH, INC. , Nesconset Highway, Port Jefferson Station, N. Y.  
 11776

Make of vehicle: 1973 Plymouth-4 Dr. Sedan

Approximate date of delivery: 60 days

Net Cost Less Excise taxes on delivery: \$3,467.00

Make of Vehicles: 1973 Plymouth-4 Four-Dr. Sedans -One Wagon

Approximate date of delivery: 60 days

Cost Less Excise Taxes	- 4 Four Dr. Sedans @	\$3,351.00 each	\$13,404.00
Cost Less Excise Taxes	- 1 Wagon	\$3,611.00	\$ 3,611.00
Net Cost on delivery			<u>\$17,015.00</u>

GREENPORT FORD MERCURY, INC. , Route No. 25, Greenport, N. Y. 11944

Make of Vehicles: Ford

Approximate date of delivery: Feb. 15, 1973

Cost of 4 Police Cars and 1 Station Wagon	\$20,251.00
Net Cost on delivery less excise taxes	<u>\$20,251.00</u>

GARSTEN MOTORS, INC. , 1375 Old Country Road, Riverhead, N. Y. 11901

Make of Vehicles: Plymouth

Approximate date of delivery: 45-65 days

Net Cost Less Excise Taxes on delivery -4 Sedans & 1 Wagon \$17,083.00

Make of vehicle: Plymouth - One Police Sedan

Approximate date of delivery: 45-65 days

Net Cost on delivery less excise taxes \$ 3,498.00

J. J. HART'S, Rte 58 Cor. Osborne Avenue, Riverhead, N. Y. 11901

Make of vehicle: Ford - One Police Sedan

Approximate date of delivery: As soon as possible

Net Cost Less Excise Taxes on delivery- \$3,649.00

Make of vehicle: Ford - 4 Four-Dr. Sedans & 1 Wagon

Approximate date of delivery: As soon as possible

Net Cost on delivery less excise taxes \$17,589.00

The Bids were ordered filed.

PETITION FOR SPECIAL PERMIT USE

Amended Petition for a Special Permit Use for the construction of condominium

Dwelling Units, submitted by METROHOUSE, INC.

PETITION FOR SPECIAL PERMIT USE -continued:

Robert L. Tooker, Esq., appeared before the Board in regard to the amended petition submitted by Metrohouse, Inc., and said: "I am appearing for Mr. Esseks, who is handling the Metrohouse Petition.

A multiple residence is not ipso facto bad - it depends on whether or not it's a good plan in a good location. This application which Metrohouse has made is for multiple residence in a good area for that type of construction and it's a good plan.

They wish to amend the original petition they have submitted in two respects - the original petition called for 180 units and they wish to amend to 150 units - the original petition indicated the units would be rental units - it is their present wish and the amended petition requires that they be condominium units.

We have filed the amended petition with the Town Clerk and we wish you would give consideration to the application as amended - if anyone has any questions, I will be pleased to answer as Mr. Esseks has had to go to Court this morning and will be free later in the day if you would like to talk to him."

Judge Costello asked if Mr. Tooker had any idea of what the condominiums would cost.

Mr. Tooker said he didn't know for sure but would say the range would be from \$20,000 to \$30,000 - the size of the condominium units would be larger than the original rental units.

The matter was referred to the Town Planning Board for recommendation and report.

CLEAN -UP COMMITTEE

Mr. Robert L. Tooker also stated that Mr. Young (Councilman) and Mrs. Granttham and some other people have been serving on a Committee to clean up the Town - that he went by the parking lot on First Street the other day and saw two men working and the area looks better already.

Mr. Tooker urged the Town Board to keep the people working on the parking lots.

Mr. Tooker further stated that some one spoke to Mrs. Silverman about the wall she put up, and he understands she is going to buy and put up some shrubs along that wall which is at the back of one of the parking lots next to the theater, and suggested Councilman Young speak to her, as the wall is a nice back stop for some shrubs. The rubble has been cleaned up and now the wall has been put up and there is this opportunity to put up some shrubs - and maybe she will pay for them.

Councilman Young announced that the Supervisor has written a letter to the A & P requesting they fence in their garbage (and read the letter).

Judge Costello announced that the Town is looking for a gadget that can be used to go down into the sidewalks and pick up all the trash.

Mr. Tooker offered the loan of a "billy goat".

The Board decided a "billy goat" did not have enough suction.

CLEAN-UP COMMITTEE continued:

Mr. Tooker said there was a problem - a billy goat is a little slow and it chews up the big bags that you put on the back of it, and if the Town is willing to replace the bags he will ban the billy goat to the Town for six months or so.

Judge Costello said this is the best offer the Town has had.

MEMORANDUM in support of objections to proposed changes in Business A District, was submitted by John Edward Coen, Jr., Attorney for Joseph P. Celic, in the matter of the proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead. Filed.

Copies to Town Board and Town Attorney.

PERSONAL APPEARANCES

Supervisor Leonard asked if anyone wished to be heard and the following responded:

Mr. Meyer asked the Board if the landlords were responsible for keeping their properties clean and free from litter.

Mr. Meyer further stated that in the area where he resides the places are littered with junk cars and dead dogs and all kinds of garbage.

Mr. Meyer asked that the Supervisor's letter to the A & P be duplicated and sent to these owners.

Mr. Sanders read excerpt from last weeks newspaper "Court backs Rosano Case" and asked the status of the matter.

The Board informed Mr. Sanders that it will appeal the case.

Mr. Wickham Tyte talked to the Board on Local Law No.2, and said as follows: "As it is written, I consider it to be overwritten - it makes it illegal for a farmer to keep a truck on his farm even though it may be off in the woods - and he can be fined and put in jail for six months - it also is discriminatory - before I came here today I made a list of 15 or 16 gas stations - all of these are forbidden under penalty of law and fines to have any vehicle on their premises that isn't licensed - the only ones that can and this is highly discriminatory is new and used car dealers and junk yards.

So this is a lopsided law aimed at favoring certain people and discriminating against the poor - we spend a lot of money on young people because we don't want them to hang around the streets, taking dope or pot - so now these young people can no longer buy a used car and tape it up - some one in the armed forces who parks their car in dad's yard while they are fighting for their country and when there are no plates on the car, immediately it is a criminal offense."

PERSONAL APPEARANCES continued:

Mr. Tyte further said: "The law as it is written is absolutely unfair, biased and prejudiced and unconstitutional and should never have been written this way."

Mr. Tyte said some parts of it that deal with cleaning up, he is not against and commended the Girl Scouts who last month went through the woods and picked up tin cans and a truck load of stuff - this was constructive cleaning up.

Mr. Tyte suggested the Board seriously consider rewriting the law and amend it to be fair to everyone, and should it intend to keep the law, then it should be 100% enforced.

Mrs. Marie S. Hoff thanked the Board and the Supt. of Highways for restoring the plaque for Sound Avenue.

Mrs. Richard Carey commended the Board for its stand on Multiple Dwellings.

DEPARTMENT HEADS

Edward R. Munson, Building Inspector reported that the Aquarius, long an eyesore on West Main Street has a demolition permit to be town down.

Mr. Munson also reported that Ray Wiwczar did a yeoman's job on getting the cleaning done in Mr. Tooker's area.

Mr. Munson further reported that he received a set of plans for an on site application from Rosano for permit to build garden apartments - that the voluminous papers will take time to study and he may have to send the application to Albany in order to get the necessary information.

Town Attorney Francis J. Yakaboski reported as follows: "There has been a decision by the Court and as of yet there has been no judgment signed supplementing the decision - so now we have the decision but no judgment and we would expect that the judgment that will be signed is going to require that the whole matter come back before the Town Board.

The Town Attorney further stated that no permit can be issued by the Building Department at this time.

The Building Inspector informed the Board that he is now working on getting sufficient information.

The Town Attorney suggested that Mr. Rosano be called and directed to pick up his plans.

DEPARTMENT HEADS continued:

The Building Inspector talked to the Board on problems developing with open development areas - whereby they are not following the initial permit that was granted to them and requested the Town Board to order the Planning Board to make a survey of all of the open development area because they are getting out of hand. He outlined the following open development areas: Hulse's, Hutchinson's at Baywoods, Fanning Blvd. , off Northville Turnpike, Kroemer Avenue and Mr. Horton's, and said these were granted through the Planning Board by approval of the Town Board - there were maps filed and now they are extending these maps in areas and they are filling-in lands and ponds - that this is not in his control excepting when they come in for a permit.

Mr. Munson asked how can we control growth when we don't know how these areas are being used.

After discussion the Town Board decided that the Conservation Department should be advised as to the filling in of these inland ponds and the matter was referred to the Town Attorney.

PERSONAL APPEARANCES

Dr. Caryl Granttham commended the Town for "cleaning up" and informed the Board that there are people who are willing to contribute moneys for trees and shrubs, and also commended the Board for its stand on multiple dwelling and also commended Mr. Munson on the open development area recommendation.

Mrs. Hoff made correction as to the Historical Plaque stating it is not a DAR plaque - it was put there by the Daughters of the Revolution - the DR, and they should be given the credit.

Police Chief Grodski reported that some of the christmas trees are attached to the meters in such a way that they interfere with the collection and insertion of coins.

UNFINISHED BUSINESS

Decision on position of Deputy Supt. of Highways:  
Supt. of Highways asked the matter be tabled for time being.

Create speed limit for entire area of Creek Road:  
Town Attorney reported progress.

## RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

BE IT RESOLVED, That the Bid for One (1) New 1973 Automobile for use of the Superintendent of Highways, be and is hereby awarded to O'KEEFE CHEVROLET-OLDS, INC. , East Main Street on Route 25, Riverhead, N. Y. 11901, at the net cost of \$2738.00, subject to its bid and specification form submitted, and filed in the office of the Town Clerk, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/Commissioner of Public Works, County of Suffolk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

RESOLVED, That the Bid for five (5) Police Vehicles for use of the Riverhead Town Police Department, be and is hereby awarded to SILVER CHRYSLER PLYMOUTH, INC. , Nesconset Highway, Port Jefferson Station, New York 11776, at the cost of \$17,015.00, subject to its bid and specification form submitted and filed in the office of the Town Clerk, and

FURTHER RESOLVED, That the Bid for One Police Sedan for use of the Detective Division be and is hereby awarded to SILVER CHRYSLER PLYMOUTH, INC. , Nesconset Highway, Port Jefferson Station, New York 11776, at the cost of \$3,467.00, subject to its bid and specification form submitted and filed in the office of the Town Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

BE IT RESOLVED, That the Building Inspector be and is hereby authorized to attend the Annual School for Building Officials, to be held at Babylon, New York, beginning December 20, 1972 and ending February 14, 1973 (seven sessions), and

FURTHER RESOLVED, That all expenses in connection with the attendance at the School and the use of the Building Department automobile is hereby authorized.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, that this Town Board ratifies the action of the Supervisor in purchasing the following Time Certificate of Deposit:

Nov. 28, 1972 - Parking Meter Account - \$4,000. - Suffolk Co. Nat'l Bank - 180 days.  
The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.  
The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

BE IT RESOLVED, that the employment of Marguerite Fleischman, Part-time Clerk in the office of the Receiver of Taxes, be and is hereby terminated, effective November 30th, 1972.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.  
The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

BE IT RESOLVED, That June Donahue, be and is hereby appointed Part-time Clerk in the office of the Receiver of Taxes, to be compensated at the rate of \$3.00 per hour, payable bi-weekly, effective December 1, 1972.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.  
The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Thomas L. McKay and Harry H. Fleischman, be authorized to attend the Conference on Assessment Administration at Flagship-Rochester, Rochester, New York on January 14, 15, 16 and 17, 1973, and

FURTHER RESOLVED, That expenses incurred by Harry H. Fleischman, be paid by the Town of Riverhead.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.  
The resolution was thereupon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED that Edward Gadzinski be compensated at the rate of \$4.15 per hour for a total of \$166.00 for 40 hours that he worked for Frank Columbus during the week of November 19th, 1972.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.  
The resolution was thereupon declared duly adopted.

2/5/72

RESOLUTIONS

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

WHEREAS Section 123 of the Town Law requires an annual accounting by Town Officers and Employees, and

WHEREAS Section 123 of the Town Law provides that where a Town which prior to the 20th day of January shall have engaged the services of a certified public accountant to make an annual audit to be completed within 60 days of the close of the town fiscal year, and

WHEREAS it is deemed to be in the best interest of the Town that an independent audit by a certified public accountant be made and completed within 60 days of the close of the town fiscal year,

NOW, THEREFORE, BE IT RESOLVED that Elaine F. Kaldor, certified public accountant, is hereby directed to make a full and complete annual account within 60 days of the close of the town fiscal year at the sum not to exceed \$1,000.00.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

WHEREAS, Mary T. Geller was previously appointed as probationary Clerk Typist effective June 19, 1972, and

WHEREAS, She has satisfactorily completed her six month's probationary period, now

THEREFORE BE IT RESOLVED, That Mary T. Geller be and is hereby appointed Clerk Typist in the Assessors Office on a permanent basis, effective December 19, 1972, to be compensated at the rate of \$6200.00 per annum, payable bi-weekly.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Superintendent be and is hereby authorized to pay overtime compensation at time and one-half for emergency work performed as follows:

Stanley Bokina, Labor Foreman - from June 10, 1972 to November 14, 1972 - a total of 38 hours in the amount of \$250.80.

Jeremiah Sadowski, Construction Equipment Operator - October 20, 1972 - 2 hours in the amount of \$12.46.

John Kalinowski - Laborer - August 16, 1972 - 3 hours in the amount of \$15.75.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for sealed bids for the purchase of one (1) mobile vacuum unit, and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Tuesday, December 19th, 1972, at 7:45 P. M., at the Town Board Room, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "BID FOR VACUUM UNIT".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install the following street light fixtures, as per surveys and plans submitted under date of November 27, 1972:

One (1) 7600 lumen mercury vapor street light fixture replacing the 1000 lumen light on Pole #3, Brook Street, within the Riverhead Lighting District, at an increased annual operating cost of \$29.52.

One (1) 7600 lumen mercury vapor street light fixture replacing the 1000 lumen light on Pole #3, Brown Street, within the Riverhead Lighting District, at an increased annual operating cost of \$30.72.

One (1) 7600 lumen mercury vapor street light fixture on Pole #49, Hubbard Avenue, within the Aquebogue Lighting District at an annual operating cost of \$52.00.

Two (2) 7600 lumen mercury vapor street light fixtures and the removal of one (1) 1000 lumen light. This will provide for a mercury vapor street light on Pole #1, Fifth Street, Wading River and replacing a 1000 lumen with a 7600 lumen mercury vapor on Pole #13 at the southwest corner of Hulse Avenue and Fifth Street, within the Wading River Lighting District at an additional charge of \$72.92 per annum.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Town Board of the Town of Riverhead, contribute the sum of \$250.00 to the Riverhead Jaycees Chamber of Commerce for Christmas decorations for publicity pursuant to Section 64 of the Town Law.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

RESOLUTIONS

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, Benjamin Karlin has applied for a special permit to convert a building on premises owned by him off Oakleigh Avenue into an apartment house containing four units, and

WHEREAS, the public hearing was held in connection with such application on the 8th day of November, 1972, and

WHEREAS, the Town Board, in addition to the facts presented at the public hearing with this matter, has made an inspection of the site and is fully familiar with the area wherein which the special permit use is sought,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Benjamin Karlin be granted upon the following conditions:

1. That prior to any reconstruction or alteration work commencing in connection with the four apartment units, at least four existing frame dwellings on the premises owned by Benjamin Karlin must be removed.

2. That the sites from which the frame dwellings are removed are not to be built upon in the future.

3. That the applicant, Benjamin Karlin, shall be required to comply with all Health Department requirements and shall, prior to the commencement of any work, submit a detailed site plan together with plans and specifications to the Building Inspector for his approval.

4. That applicant, Benjamin Karlin, shall submit prior to the issuance of a Certificate of Occupancy, a detailed survey of the premises known as Woodcliff Park, which survey shall at least show all roadways in the park, as well as each individual site in the park and the structure thereon, if any.

5. That this permit shall be valid for a period of one year only.

The vote, Councilman Young, Yes, Councilman Grodski, No, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was unanimously seconded and duly adopted.

RESOLUTION OF COMMENDATION

WHEREAS: The true wealth and resource of this Great Nation lies in the future, and

WHEREAS: Alton Medsger, by his years of faithful service has well earned the gratitude of the officials and people of Riverhead, and

WHEREAS: Alton Medsger, has served Riverhead's youth in Boy Scouting for 30 years, and has touched the life and destiny of over one thousand of Riverhead's young men,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board extends to Alton Medsger, its humble expression of esteem for him serving the community faithfully and well, and its best wishes for good health and many happy years to enjoy a well earned life of retirement.

RESOLUTIONS

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

WHEREAS, pursuant to public notice, bids were submitted by PARITY SYSTEMS CORPORATION, Melville, New York, and MARINE MIDLAND TINKER NATIONAL BANK, Port Jefferson, New York, in connection with the data processing of the Town's tax rolls on the 21st day of November, 1972, and

WHEREAS, such bids have been reviewed by the Assessors and the Town Board of the Town of Riverhead, and

WHEREAS, PARITY SYSTEMS CORPORATION of 900 Walt Whitman Road, Melville, New York, is the low bidder, at the sum of \$8,800.00; for a period of one year;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the said PARITY SYSTEMS CORPORATION is hereby awarded the bid for data processing of the Town's tax rolls subject to the execution of a more formal agreement between the Town of Riverhead and Parity Systems Corporation.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard:

WHEREAS, the Town Board of the Town of Riverhead, on the 21st day of November, 1972, at 8:00 o'clock P. M., held a public hearing after due notice thereof in connection with certain proposed amendments to Zoning Ordinance No. 26, of the Town of Riverhead, and

WHEREAS, the Town Board of the Town of Riverhead has considered the several reports and recommendations of the Planning Board and has considered the recommendation of the firm of McCrosky and Reuter, as well as all material submitted and statements made at the public hearing, in connection with the proposed changes to Zoning Ordinance No. 26, and

WHEREAS, the Town Board of the Town of Riverhead has considered such proposed amendments and the statements made at the public hearing concerning their adoption, and

WHEREAS, after due deliberation, the Town Board, as legislative body of the Town of Riverhead, feels that it would be in the public interest to amend Zoning Ordinance No. 26,

NOW, THEREFORE, BE IT RESOLVED, that Zoning Ordinance No. 26 of the Town of Riverhead is amended to read as follows:

PUBLIC NOTICE

FIRST: That Section 102, DEFINITIONS, be amended by adding the following definitions.

A new No. 14 defining "CONDOMINIUM" as follows:

RESOLUTION continued: (Amendments to Zoning Ordinance No. 26)

CONDOMINIUM - An apartment building and/or a complex of garden apartment units with an arrangement whereby the occupants of each unit or one of them has full title to that particular unit and a joint ownership with the other occupants of the apartment building or garden apartment complex of the common ground.

And renumbering the present No. 14 to No. 15:

And by adding a new No. 16 defining "DRIVE-IN RESTAURANT"  
As follows:

DRIVE-IN RESTAURANT - A building with accessory uses devoted to the preparation, sale and/or service of food, refreshments, edibles or drink within the premises and which makes available any facility (including but not limited to parking or standing space on the premises for vehicles or persons) for, or which permits in open spaces, patios, accessory buildings or automobiles on premises, the consumption of such food, refreshments, edibles or drink.

By renumbering all of the following definitions commencing with the present No. 15 accordingly.

By adding a new No. 42 defining "RESTAURANT" as follows:

RESTAURANT - A building with accessory uses devoted to the preparation, sale and/or service of food, refreshments, edibles or drink within the premises for consumption therein.

By amending present definition No. 45, SPECIAL PERMIT BY TOWN BOARD, by adding the following to the foot thereof:

A special permit issued by the Town Board, pursuant to the provisions of this Ordinance, shall be valid for a period of one year only and is not transferrable except upon application to the Town Board of the Town of Riverhead.

SECOND: That Section 203, RESIDENCE C DISTRICT, be amended as follows:

That Section 203A, USES, paragraph 2. Special Permit Uses, paragraph a,  
to wit,

- a. Multiple family dwellings, garden apartments and apartment houses by special permit of the Town Board, BE DELETED.

That Section 203A, USES, at paragraph 3, Accessory Uses, be numbered 2.  
Accessory Uses.

That Section 203C, LOT AREA, at paragraph 2, to wit,

RESOLUTION continued: (Amendments to Zoning Ordinance No. 26)

2. No multiple family dwelling, apartment house or garden apartment shall be erected on a lot of an area of less than three (3) acres and having a width of less than two hundred (200) feet. There shall be no less than three thousand (3,000) square feet of lot area for each eight hundred (800) square feet of floor area, BE DELETED.

That Section 203F, ADDITIONAL REQUIREMENTS, to wit:

Where a multiple family dwelling, apartment house or garden apartments consist of more than one (1) principal building, there shall be a minimum distance between such principal buildings of fifty (50) feet, BE DELETED.

THIRD: That Section 205, BUSINESS A DISTRICT, be amended as follows:

By amending Section 205A, USES, (1) g. Restaurant, as follows:

g. Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.

By amending Section 205A, USES, paragraph 2, to read as follows:

2. Multiple family dwellings, apartment houses, garden apartments, and condominiums by special permit of the Town Board.

By amending Section 205C, LOT AREA, paragraph 2, to read as follows:

2. No multiple family dwelling, apartment house, garden apartment or condominium shall be erected on a lot of less than six (6) acres and having a width of less than two hundred (200) feet. There shall be no less than eight thousand (8000) square feet of lot area for each eight hundred (800) square feet of floor area.

By amending Section 205G, ADDITIONAL REQUIREMENTS, paragraph 1, to read as follows:

1. Where a multiple family dwelling, apartment house, garden apartment or condominium consists of more than one (1) principal building, there shall be a minimum distance between such principal buildings of fifty (50) feet. All buildings shall be erected, reconstructed or altered so as to be situate sixty (60) feet from the lines of the lot.

FOURTH: That Section 206, BUSINESS B DISTRICT, be amended as follows:

By amending Section 206A, USES, (1) 1. Restaurant, to read as follows:

1. Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.

RESOLUTION continued: (Amendments to Zoning Ordinance No. 26)  
By amending Section 206A, USES, paragraph 2., Special Exception and  
Special Permit Uses, as follows:

By deleting paragraph "b"; Multiple residence and garden apartments by  
special permit of the Town Board", and designating the present paragraph "c" as  
paragraph "b".

FIFTH: That Section 207, BUSINESS C DISTRICT, be amended as follows:

By amending Section 207A, USES, paragraph (1) m. Restaurant, to read as  
follows:

m. Restaurant, except that a drive-in restaurant shall be permitted only  
by special permit of the Town Board.

By amending Section 207A, USES, paragraph 2. b. , Multiple family dwell-  
ings, apartment houses, garden apartments and motels by special permit of the Town  
Board, to read as follows:

b. Motels, by special permit of the Town Board.

That Section 207B, GENERAL LOT, YARD AND HEIGHT REQUIREMENTS,  
paragraph 3, to wit:

3. No multiple family dwelling, apartment house or garden apartment  
shall be erected on a lot of an area of less than 3 acres and having a width of less  
than 200 feet. There shall be no less than 3,000 square feet for each 800 square  
feet of floor area, BE DELETED.

SIXTH: That Section 208, BUSINESS D DISTRICT, be amended as follows:

By amending Section 208S, USES, paragraph 1. n. Restaurant, to read as  
follows:

n. Restaurant, except that a drive-in restaurant shall be per-  
mitted only by special permit of the Town Board.

By amending Section 208S, USES, paragraph 2. b. , Multiple family dwellings,  
apartment houses, garden apartments and motels by special permit of the Town Board,  
to read as follows:

b. Motels by special permit of the Town Board.

SEVENTH: That Section 209, INDUSTRIAL A DISTRICT, be amended as  
follows:

By amending Section 209A, USES, paragraph 1. q. Restaurant, as follows:

RESOLUTION continued (Amendments to Zoning Ordinance No. 26)  
 q. Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.

By amending Section 209A, USES, 2. Special Exception and Special Permit Uses, as follows:

That Section 209A, USES, 2. Special Exception and Special Permit Uses, paragraph "e", to wit:

e. Multiple residence and garden apartments by special permit of the Town Board, BE DELETED.

That Section 209A, USES, 2. Special Exception and Special Permit Uses, paragraph "i", to wit:

i. Camps by special permit of the Town Board be amended to read as follows:

i. Camps of types 1, 3, 4, 5 and 6 by special permit of the Town Board.

EIGHTH: That Section 210, INDUSTRIAL B DISTRICT, be amended as follows:

By amending Section 210A, USES, paragraph l. k. Restaurant, as follows:

k. Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.

By amending Section 210A, USES, paragraph 2., Special Exception and Special Permit Uses, as follows:

By amending paragraph "h" to read as follows:

h. Camps of types 1, 3, 4, 5 and 6 by special permit of the Town Board.

By amending paragraph "j" to read as follows:

j. Any other use, except for multiple family dwelling, apartment house, garden apartment or condominium and camp of type 2, not hereinbefore permitted, may be established by special permit of the Town Board.

NINTH: That ARTICLE III, SUPPLEMENTARY REGULATIONS, be amended by adding a new section thereto to be known as, "Section 304, SUPPLEMENTARY REGULATIONS RE: DIVISION OF LAND" to read as follows:

RESOLUTION continued: (Amendments to Zoning Ordinance No. 26)

Before, any lot is formed from part of a lot, the owner thereof shall submit the proposed separation or subdivision plan to the Planning Board in duplicate for its approval and determination whether same constitutes a subdivision. Such proposed plan shall show the location of property lines, buildings and other existing features, locations of the lot with reference to existing streets, easements or rights of way, the location, area and dimensions of each of the proposed new lots, and other adjoining lands, if any, to which the owner, directly or indirectly, now has or previously had an interest.

No building permit, certificate of occupancy or certificate of existing use shall be issued where a new lot proposed to be formed will cause or create a violation of any provision of this ordinance, rule or decision of the Planning Board, or any other statute, law, code or ordinance applicable to such premises or any existing or new improvement associated therewith.

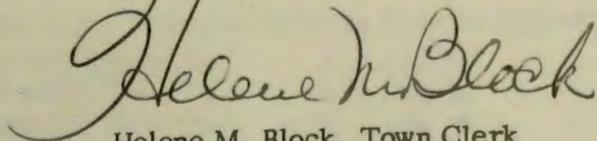
and it is further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby directed to publish notice of such amendments in the News-Review and to post such notice as required by the provisions of the Town Law.

The aforesaid amendments to Zoning Ordinance No. 26, of the Town of Riverhead, as Amended, shall take effect ten (10) days after such publication and posting.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 12:00 Noon to meet on Tuesday, December 19, 1972 at 7:30 P. M.



Helene M. Block, Town Clerk

HMB.